

OFFICE OF THE COMMON COUNCIL
CITY HALL – ROME, NEW YORK 13440



1ST WARD
Lori A. Trifeletti

2ND WARD
John B. Mortise

3RD WARD
Kimberly Rogers

4TH WARD
Ramona L. Smith

5TH WARD
Frank R. Anderson

6TH WARD
John A. Nash

7TH WARD
Lou DiMarco Jr.

John J. Mazzaferro
President Common Council

CITY CLERK
Louise S. Glasso

**COMMON COUNCIL MEETING
REGULAR SESSION**

**DECEMBER 10, 2014
7:00PM**

1. CALLING THE ROLL OF MEMBERS BY THE CLERK

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. GENERAL PUBLIC HEARING

The time limit for speakers at the general public hearing shall be limited to (5) continuous minutes. The President of the Common Council may extend this time up to an additional five (5) minutes at his discretion; and further extensions must be approved by a majority of the council.

5. RECOGNITION/APPRECIATION

6. READING OF THE MINUTES OF THE PRECEDING SESSION

(Motion in order that the reading of the minutes of the preceding session be dispensed with and that they be approved.)

7. PRESENTING OF PETITIONS AND COMMUNICATIONS.

A. PETITIONS

B. COMMUNICATIONS.

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

CPJ's
Sammy G's Bar & Grill
(Received & filed)

1321 Floyd Ave.
417 W. Dominick St.

The following financial reports for quarter ended September 30, 2014 are on file in the City Clerk's Office: Senior Citizens Council.

The following training reports are on file in the City Clerk's Office: Rome Fire Dept. from April 2014 – September 2014, Rome Police Dept. from July 2014 – September 2014

8. NOTICES

Members of the council to meet with Brandon Lovett & Dave Nolan regarding the Rome Action Park on 12/10/14 @ 6:00pm

9. REPORT OF CITY OFFICIALS

10. REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS

11. PRESENTING OF REPORT OF COMMITTEES

12. RESOLUTIONS

RES. NO. 176

F

ACCEPTING DONATION PRESENTED TO THE CITY OF ROME DEPARTMENT OF PARKS AND RECREATION FROM BONNIE STAPLE & CUB SCOUT PACK 50. Lovett

RES. NO. 177

E

ACCEPTING DONATION PRESENTED TO THE CITY OF ROME DEPARTMENT OF PARKS AND RECREATION FROM BILL DIPAOLO AND ENTERTAINMENT SERVICES. Lovett

RES. NO. 178

G

AUTHORIZATION ALLOWING JERVIS PUBLIC LIBRARY TO PLACE A BOOKSHELF INSIDE THE PINTI FIELD INDOOR PLAYGROUND AND THE CITY OF ROME TO ACCEPT DONATION OF BOOKS FROM SAME. Lovett

RES. NO. 179

H

APPOINTING COMMISSIONERS OF DEEDS. Glasso

RES. NO. 180

I

AUTHORIZING CITY TREASURER TO ATTEND CONFERENCE. Nolan

RES. NO. 181

J

**AUTHORIZATION OF THE 2015-2020 CAPITOL IMPROVEMENT PLAN
BY THE COMMON COUNCIL. Nolan**

RES. NO. 182

K

**CREATION OF A SPECIAL REVENUE DESIGNATED FUND FOR THE JOHN F.
KENNEDY CIVIC ARENA. Rogers - DiMarco**

13. ORDINANCES

A.

%Lacking Unanimous Consent

B.

Current Legislation

ORD. NO. 8973

B

**AUTHORIZING MAYOR OF THE CITY OF ROME TO ENTER INTO
REHABILITATION AGREEMENT PERTAINING TO PROPERTY LOCATED
AT 6132 MUCK ROAD. Domenico**

ORD. NO. 8974

C

**AUTHORIZING MAYOR OF THE CITY OF ROME TO ENTER INTO
REHABILITATION AGREEMENT PERTAINING TO PROPERTY LOCATED
AT 612 FLOYD AVENUE. Domenico**

ORD. NO. 8975

D

**AUTHORIZING MAYOR OF THE CITY OF ROME TO ENTER INTO
REHABILITATION AGREEMENT PERTAINING TO PROPERTY LOCATED
AT 119 ½ WEST FOX STREET. Domenico**

ORD. NO. 8976

L

**AUTHORIZING THE ROME CITY CLERK TO PUBLISH PUBLIC NOTICE
PERTAINING TO LOST OR ABANDONED BICYCLES IN THE POSSESSION OF THE
ROME POLICE DEPARTMENT AND WAIVING ROME CODE OF ORDINANCES
SECTION 2-384 IN REGARD TO THE SALE OF THE SURPLUS BICYCLES. Beach**

14. LOCAL LAWS

15. TABLED LEGISLATION

ORD. NO. 8970

H

Tabled II

**AUTHORIZING THE MAYOR OF THE CITY OF ROME TO EXECUTE DOCUMENTS
NECESSARY TO ACCEPT A PUBLIC INFRASTRUCTURE. Tallarino**

16. VETOED LEGISLATION

17. ADJOURNMENT

% Ordinances require unanimous consent to be acted upon when first introduced

NEXT SCHEDULED COMMON COUNCIL MEETING ~January 14, 2015

COMMON COUNCIL

DECEMBER 10, 2014

RESOLUTION NO. 176_

ACCEPTING DONATION PRESENTED TO THE
CITY OF ROME DEPARTMENT OF PARKS AND RECREATION
FROM BONNIE STAPLE & CUB SCOUT PACK 50

By Councilor _____:

WHEREAS, Bonnie Staple and Cub Scout Pack 50, of Rome, New York, have contacted the City of Rome Department of Parks and Recreation with a donation of (4) four BAT houses as a part of their conservation project, to be placed at the following City of Rome locations: Pinti Field, Bellamy Harbor Park, Haselton Park, and the Madison Street Parks Garage; and

WHEREAS, pursuant to Section 25 of the Rome City Charter, the City of Rome Common Council may authorize the acceptance of donations made to the City of Rome on behalf of the City of Rome; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the City of Rome, New York be and is hereby authorized to accept a donation of (4) four BAT houses as a part of their conservation project, to be placed at the following City of Rome locations: Pinti Field, Bellamy Harbor Park, Haselton Park, and the Madison Street Parks Garage; and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to Bonnie Staple and Cub Scout Pack 50, of Rome, New York, for the donation of (4) four BAT houses as a part of their conservation project, to be placed at the following City of Rome locations: Pinti Field, Bellamy Harbor Park, Haselton Park, and the Madison Street Parks Garage.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ADOPTED:

DEFEATED:

COMMON COUNCIL

DECEMBER 10, 2014

RESOLUTION NO. 177

ACCEPTING DONATION PRESENTED TO THE
CITY OF ROME DEPARTMENT OF PARKS AND RECREATION
FROM BILL DIPAOLO AND ENTERTAINMENT SERVICES

By Councilor _____:

WHEREAS, Bill DiPaolo and Entertainment Services of Rome, New York, have contacted the City of Rome Department of Parks and Recreation with a donation of the showing of a Christmas movie outdoors upon a large inflatable screen during the Christmas Tree Lighting Ceremony scheduled for December 5th, 2014; and

WHEREAS, pursuant to Section 25 of the Rome City Charter, the City of Rome Common Council may authorize the acceptance of donations made to the City of Rome on behalf of the City of Rome; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the City of Rome, New York be and is hereby authorized to accept a donation of the showing of a Christmas movie outdoors upon a large inflatable screen during the Christmas Tree Lighting Ceremony scheduled for December 5th, 2014; and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to Billy DiPaolo and Entertainment Services, of Rome, New York, for the donation of the showing of a Christmas movie outdoors upon a large inflatable screen during the Christmas Tree Lighting Ceremony scheduled for December 5th, 2014.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ADOPTED:

DEFEATED:

RESOLUTION NO. 178

AUTHORIZATION ALLOWING JERVIS PUBLIC LIBRARY TO PLACE A BOOKSHELF
INSIDE THE PINTI FIELD INDOOR PLAYGROUND AND THE CITY OF ROME TO
ACCEPT DONATION OF BOOKS FROM SAME

By Councilor _____:

WHEREAS, Jervis Public Library, of Rome, New York, has contacted the City of Rome Department of Parks and Recreation with a donation of one (1) book shelf, to be placed inside the Pinti Field Indoor Playground, located within the City of Rome, with a collection of donated books that will be borrowed informally and returned to the Playground; and

WHEREAS, it is the opinion of Brandon Lovett, Director of Administrative Services for the City of Rome, that the “free little library”, requiring no library cards and no overdue fines will serve as a great way to assist in getting books into the hands of the children of our community; and

WHEREAS, pursuant to Section 25 of the Rome City Charter, the City of Rome Common Council may authorize the acceptance of donations made to the City of Rome on behalf of the City of Rome; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the City of Rome, New York be and is hereby authorized to accept a donation of one (1) book shelf, to be placed inside the Pinti Field Indoor Playground, located within the City of Rome, with a collection of donated books that will be borrowed informally and returned to the Playground; and

BE IT FURTHER RESOLVED, that the Common Council hereby expresses its appreciation to Jervis Public Library, of Rome, New York, for the donation of one (1) book shelf and the collection of donated books.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti ____ Mortise ____ Rogers ____ Smith ____ Anderson ____
Nash ____ DiMarco _____

ADOPTED:

DEFEATED:

RESOLUTION NO. 179

APPOINTING COMMISSIONERS OF DEEDS

By Councilor _____:

BE IT RESOLVED, by the Common Council of the City of Rome that the following individuals be and are hereby appointed Commissioner of Deeds for the City of Rome, New York, for a term to expire December 31, 2015:

Amuso, Madeline M.	301 N. James St. Rome
Bates, Timothy J.	301 N. James St. Rome
Beach, Kevin C.	301 N. James St. Rome
Bielby, John T.	321 McRae ST. Rome
Bolton, Raymond P.	301 N. James St. Rome
Boyer, James P.	301 N. James St. Rome
Calandra, Barbara	807 Croton St., Rome
Carr, Jonathan	301 N. James St. Rome
Collins, David	301 N. James St. Rome
Copperwheat, Ann M.	301 N. James St. Rome
Corigliano, Dominic J.	301 N. James St. Rome
D'Aiuto, Don A.	301 N. James St. Rome
D'Alessandro, Edwin A.	301 N. James St. Rome
DiCastro, James A.	7831 Lauther Rd. Rome
DiMaggio, Jay	301 N. James ST. Rome
Doria, Andrea L.	205 ST. Peters Ave #603, Rome
Galluppi, Richard	301 N. James St. Rome
Glasso, Mark A.	301 N. James St. Rome
James, Kevin	301 N. James St. Rome
Liddy, Mark	301 N. James St. Rome
Mellace, Amy G.	814 Beech St. Rome
Melnick, Bruce S.	210 Clark St., Rome
Nash, John	1318 Craig St. Rome
Perry, Kathleen A.	115 McAvoy Ave. Rome
Pohorenec, Gerald	301 N. James St. Rome
Poremba, Julia K.	6892 Stanwix Ave. Rome
Race, Jeffery A.	301 N. James St. Rome
Schoff, Cheyenne	8103 Elmer Hill Rd. Rome
Simons, Kevin M.	903 W. Thomas St. Rome
Smith, Thomas P.	301 N. James St. Rome
Sochia, Eric A.	301 N. James St. Rome
Sparace, Linda	818 Belmont St. Rome
Sparace, John A.	818 Belmont St., Rome
Stevens, Edward T.	7965 Middle Road Rome

Theall, Thomas N.	546 S. Jay St., Rome
White, Kenneth	301 N. James St Rome
Wittmann, Scott R.	301 N. James St. Rome
Witt-Rogers, Cynthia	401 E. Garden St. Rome
Worth, Jason T.	301 N. James St. Rome
Yoxall, Mike	301 N. James St. Rome

and,

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ADOPTED:

DEFEATED:

COMMON COUNCIL

DECEMBER 10, 2014

RESOLUTION NO. 180

AUTHORIZING CITY TREASURER TO ATTEND CONFERENCE

By Councilor _____:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, City of Rome, City Treasurer, David Nolan be and is hereby authorized to attend the New York GFOA conference, to be held in Syracuse, New York, on Friday, December 5, 2014, pursuant to the documentation, which is attached hereto and made part of this Resolution.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ADOPTED:

DEFEATED:



CENTRAL HOLIDAY SEMINAR

December 5, 2014
(Program subject to change)

Reportable Knowledgeable. Irreversible.

AGENDA

- 9:00am-9:30am Registration and Continental Breakfast
- 9:30am-9:40am Welcoming Remarks
- 9:40am-10:30am 2014-15 Economic Update
1 CPE - AS
Kenneth J. Entenmann
Chief Investment Officer
NBT Financial Group
- Session Learning Objectives
- Current national, state, and regional economic trends.
 - Current labor statistics in Central New York.
 - Future trends in economic growth and the direction of interest rates.
- 10:45am-12:00pm Developing an Effective Fund Balance Policy
1.5 CPE - GSK
Daniel Acquilano
Associate Examiner
Office of the State Comptroller, Division of
Local Government & School Accountability
- Session Learning Objectives
- What is fund balance.
 - What are the components of fund balance.
 - Elements of a reasonable and functional fund balance policy.
- 12:00pm-1:00pm Networking Luncheon

Session qualifies for GFI credit. FR: Financial Reporting

REGISTRATION FORM (CENTRAL HOLIDAY 2014)

NAME _____

TITLE _____ ENTITY _____

ADDRESS _____

PHONE _____ FAX _____

EMAIL _____

FEE: ☐ Member: \$60.00 ☐ Nonmember: \$120.00

PAYMENT METHOD:

☐ Check/Money Order ☐ Claim Voucher/PO

NOT A MEMBER? FIRST TIME MEMBERS - JOIN NOW
☐ Government \$80.00 ☐ Private: \$190.00 (These rates are discounted)

REGISTRATION:

Pre-registration is preferred. Payment should be made in advance or brought with you to the seminar. Online or fax registration forms will be invoiced. On-site registrations are accepted, however there will be an additional fee of \$10.00.

Cancellations: Any cancellations before November 26, 2014 will be charged an Administrative Fee of \$15.00. Cancellations received after this date will NOT be refunded. Cancellation notices may be emailed to info@nysgfoa.org, faxed to 518-434-4640 or mailed to the address below.

No shows: In the event you are unable to attend and have not cancelled in writing, by the date indicated above, you are obligated to pay the full amount.

MAIL/FAX REGISTRATION FORMS TO:

NYS GFOA • 126 State Street, 5th Floor • Albany, NY 12207 Fax: 518-434-4640

Questions? Call 518-465-1512 • Web site: www.nysgfoa.org

DIRECTIONS CENTURY CLUB

480 James St., Syracuse, NY 13203 • (315) 422-6161

From the Syracuse Area: The large brick mansion is located at the corner of James and Townsend Streets. The parking lot can **ONLY** be accessed from the first block of Burnet Av. (one way going East). The gate on James St. is locked, it is advisable to enter off Burnet Av. Pedestrian entrance to the Club is on James St.

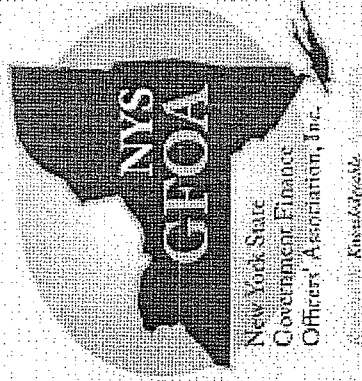
From the NYS Thruway and I-81 North: Take the Clinton St. Exit and turn left at the end of the ramp onto West Genesee St. Go straight crossing Salina St. and Warren St. (one way). Take the next right onto Oswego St. Proceed one block to Erie Blvd. and turn left. Take your first left onto State St., keep right and take the first right onto Burnet Av., at a sign and arrow for Rt. 290. Go 7/8 block, turn left onto an uphill driveway and drive into the parking lot. Pedestrian entrance to the Club is on James St.

MARK YOUR CALENDAR

For the
NYS GFOA 36th Annual Conference
March 25-27, 2015 (Pre-conference Workshops Begin March 24)
Albany Marriott Hotel - Albany, New York



New York State Government Finance Officers' Assn., Inc. is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN 37219-2417. Web site: www.nasba.org.

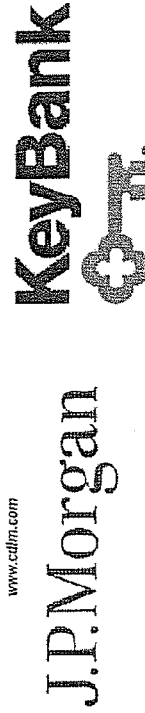
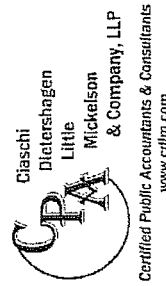


CENTRAL

HOLIDAY SEMINAR

Century Club, Syracuse, NY December 5, 2014

THANK YOU SPONSORS:



126 State Street, 5th Floor - Albany, NY 12207 • 518-465-1512 • www.nysgfoa.org

COMMON COUNCIL

DECEMBER 10, 2014

RESOLUTION NO. 181

AUTHORIZATION OF THE 2015-2020 CAPITOL IMPROVEMENT PLAN
BY THE COMMON COUNCIL

By Councilor _____:

WHEREAS, City Treasurer, David Nolan has requested the Common Council of the City of Rome approve the 2015-2020 Capital Improvement Plan; and

WHEREAS, said Capital Improvement Plan has been previously sent via email, to the Common Council for review of same; now, therefore

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the 2015-2020 Capital Improvement Plan be and is hereby approved; and

BE IT FURTHER RESOLVED, that a copy of the 2015-2020 Capital Improvement Plan shall be kept on file in the City Clerk's Office.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ADOPTED:

DEFEATED:

COMMON COUNCIL

DECEMBER 10, 2014

RESOLUTION NO. 182

CREATION OF A SPECIAL REVENUE DESIGNATED FUND FOR THE
JOHN F. KENNEDY CIVIC ARENA

By Councilor _____:

WHEREAS, Third Ward Councilor, Kimberly Rogers and Seventh Ward Councilor Louis DiMarco have requested the creation of a special revenue designated fund for the John F. Kennedy Civic Arena; and

WHEREAS, the intent of said fund is to enhance and/or improve the John F. Kennedy Civic Arena outside normal operating expenses; now, therefore

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that the City Treasurer is authorized to create a special revenue designated fund for the John F. Kennedy Civic Arena be and is hereby authorized; and

BE IT FURTHER RESOLVED, that the intent of said fund is to enhance and/or improve the John F. Kennedy Civic Arena outside of the normal operating expenses.

Seconded by Councilor _____.

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ADOPTED:

DEFEATED:

COMMON COUNCIL

DECEMBER 10, 2014

ORDINANCE NO. 8973

AUTHORIZING MAYOR OF THE CITY OF ROME TO ENTER INTO REHABILITATION
AGREEMENT PERTAINING TO PROPERTY LOCATED AT 6132 MUCK ROAD

By Councilor _____:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids; and

WHEREAS, certain City owned parcels of land are in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately twelve (12) months from the date said rehabilitation agreement is executed; now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 6132 Muck Road, Rome, New York, with William Olney III, for the rehabilitation of said property located at 6132 Muck Road, Rome, New York, known as Tax Map No. 242.000-0001-035; and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 6132 Muck Road, Rome, New York, known as Tax Map No. 242.000-0001-035, for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Twelve Thousand and 00/100 Dollars (\$12,000.00), said conveyance to take place following the contingencies hereinafter set forth; and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance; and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement; and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale; and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor _____.

By Councilor _____

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8973

Seconded by Councilor _____

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ORDINANCE NO. 8973

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ADOPTED:

DEFEATED:

COMMON COUNCIL

DECEMBER 10, 2014

ORDINANCE NO. 8974

AUTHORIZING MAYOR OF THE CITY OF ROME TO ENTER INTO REHABILITATION
AGREEMENT PERTAINING TO PROPERTY LOCATED AT 612 FLOYD AVENUE

By Councilor _____:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids; and

WHEREAS, certain City owned parcels of land are in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately twelve (12) months from the date said rehabilitation agreement is executed; now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 612 Floyd Avenue, Rome, New York, with Christopher Broadbent and Chrystal Pelton, for the rehabilitation of said property located at 612 Floyd Avenue, Rome, New York, known as Tax Map No. 242.044-0002-066; and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 612 Floyd Avenue, Rome, New York, known as Tax Map No. 242.044-0002-066, for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Ten Thousand and 00/100 Dollars (\$10,000.00), said conveyance to take place following the contingencies hereinafter set forth; and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance; and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement; and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale; and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor _____.
By Councilor _____

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8974

Seconded by Councilor _____

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ORDINANCE NO. 8974

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ADOPTED:

DEFEATED:

COMMON COUNCIL

DECEMBER 10, 2014

ORDINANCE NO. 8975

AUTHORIZING MAYOR OF THE CITY OF ROME TO ENTER INTO REHABILITATION
AGREEMENT PERTAINING TO PROPERTY LOCATED AT 119 ½ WEST FOX STREET

By Councilor _____:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws, Title A, Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a five-sevenths (5/7) vote of the Rome Common Council, with or without advertising for bids; and

WHEREAS, certain City owned parcels of land are in need of rehabilitation and the City desires to sell and convey said real property to buyer, and obtain a written guarantee from the buyer that he will perform and accomplish the necessary rehabilitation within the agreed upon time frame of approximately twelve (12) months from the date said rehabilitation agreement is executed; now, therefore,

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to enter into a Rehabilitation Agreement, prepared and approved by the City of Rome Corporation Counsel and the City of Rome Codes Enforcement Officer, for tax sale property located at 119 ½ Fox Street, Rome, New York, with Paul Coleman, for the rehabilitation of said property located at 119 ½ West Fox Street, Rome, New York, known as Tax Map No. 242.042-0002-041; and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of tax sale property located at 119 ½ West Fox Street, Rome, New York, known as Tax Map No. 242.042-0002-041, for consideration of the performance of a Rehabilitation Agreement for said property, and for the total sum of Six Thousand and 00/100 Dollars (\$6,000.00), said conveyance to take place following the contingencies hereinafter set forth; and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the execution by the buyer of the Rehabilitation Agreement within thirty (30) days of the adoption of this Ordinance; and

BE IT FURTHER ORDAINED, that subsequent to the execution of the Rehabilitation Agreement, this authorization is further contingent upon the granting of a written certification by the City of Rome Codes Enforcement Officer, stating that he has inspected the property and that the buyer has completed all necessary rehabilitation in the time period required by the agreement; and

BE IT FURTHER ORDAINED, that upon receipt of the written certification from the Codes Enforcement Officer, the Mayor is hereby authorized to execute any and all deeds or other documents necessary to complete the transfer of title of said parcel of land; and

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale; and

BE IT FURTHER ORDAINED, that the real property shall at no point in time be sold, transferred, titled or conveyed to any person who was a record owner and/or mortgagor of the property within the five (5) year period immediately preceding the date on which the property was taken by the City of Rome for non-payment of taxes. If such prohibited conveyance shall be made by any party in the succeeding chain of title, then immediately thereon (a) this conveyance shall become null and void to the buyer, his, her or their successors and/or assigns, and (b) the title to the above premises shall revert back to the City of Rome.

Seconded by Councilor _____.

By Councilor _____

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8975

Seconded by Councilor _____

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ORDINANCE NO. 8975

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ADOPTED:

DEFEATED:

ORDINANCE NO. 8976

AUTHORIZING THE ROME CITY CLERK TO PUBLISH PUBLIC NOTICE PERTAINING
TO LOST OR ABANDONED BICYCLES IN THE POSSESSION OF THE ROME POLICE
DEPARTMENT AND WAIVING ROME CODE OF ORDINANCES SECTION 2-384
IN REGARD TO THE SALE OF THE SURPLUS BICYCLES

By Councilor _____:

WHEREAS, pursuant to New York State Personal Property Law (hereinafter "PPL") §253, the Rome Police Department is charged with the responsibility of receiving and storing lost property found within the City of Rome, New York; and

WHEREAS, pursuant to New York State PPL §251(1) & (3) "lost property" includes lost, mislaid or abandoned tangible personal property where said property is not claimed for at least six (6) months; and

WHEREAS, in the course of the last twenty-four (24) months, the Rome Police Department has received and stored lost property, hereinafter referred to as "Property"; and

WHEREAS, the Rome Police Department has estimated the value of each of the bicycles to be less than seventy-five dollars (\$75.00), meaning, pursuant to PPL §253(7), that the Property has only salvage value and the Rome Police Department need only store the Property for three (3) months; and

WHEREAS, by storing the Property a minimum of twelve (12) months, the Rome Police Department has stored the Property for longer than the required retention period, and said Property has not been claimed by any person, including any owner or finder, thereby allowing the Property to be disposed of as set forth at PPL §§253(5) & (8); and

WHEREAS, under PPL §253(8), in order to properly effectuate the sale of the Property, the Rome Police Department must notify any person asserting rights to any lost bicycle as owner, finder or under any other claim, that failure to exercise said right will permit the City of Rome to sell the Property as provided for at PPL §253(5); and

WHEREAS, under PPL §253(5), because the Property has only salvage value, the Rome Police Department may sell the Property in such a manner reasonable under the circumstances; and

WHEREAS, any Property not obtained by an owner, finder or other person having claim to said Property and in the event said Property is unsuitable for City use, the City may deem said Property "surplus property" under §2-384 of the Rome Code of Ordinances; and

WHEREAS, pursuant to Rome Code of Ordinances §2-384(c)(2), surplus property having a value of less than five hundred dollars (\$500.00) may be disposed of by sale in the open market, upon public notice of the sale to be published in the official newspaper, at least seven (7) days prior to the sale; and

WHEREAS, Ronald Crever operates a charitable not-for-profit organization called “Bikes for Kids” in the City of Rome, that obtains and repairs used and junked bikes, which are then donated to children throughout the City of Rome; and

WHEREAS, Chief Kevin Beach of the Rome Police Department, is of the opinion that the best interests of the City of Rome and its citizens are furthered by the sale of the surplus lost bicycles to the not-for-profit organization “Bikes for Kids”; therefore, warranting the waiver of the procedures of Rome Code §2-384(c)(2) and deeming a direct sale of the surplus lost bicycles to “Bikes for Kids” reasonable under New York State Personal Property Law §253(5); now, therefore,

BE IT ORDAINED, by the City of Rome Common Council that the City Clerk be and hereby is authorized to issue public notice to be published in the official newspaper of the City of Rome that lost property, consisting of lost or abandoned bicycles, will be sold via direct sale to “Bikes for Kids” within fourteen (14) days of said publication. The publication shall further advise that only those persons in possession of the following Rome Police Department receipts, may assert a claim of ownership as finder of the applicable lost bicycle, pursuant to the listing attached hereto and by this reference made a part hereof as Exhibit A, and that failure to assert a claim of ownership within said fourteen (14) day period will be deemed a waiver of the rights of ownership and will permit the City of Rome to sell the applicable bicycle via direct sale; and

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome, New York, that the rules and regulations for the sale of surplus property as set forth in the Rome Code of Ordinances §2-384(c)(2), be and are hereby waived for the sale of any surplus lost bicycles not obtained by persons with legitimate rights as owners, finders or other claims of ownership, as evidenced by a Rome Police Department receipt; and

BE IT FURTHER ORDAINED, that, upon the expiration of fourteen (14) days from the date of publication of said notice, the Board of Estimate & Contract may approve the sale of the surplus property to Ronald Crever of “Bikes for Kids” in the City of Rome, under the express condition that said bicycles not be sold for profit or gain, and under such other terms and conditions as the Board of Estimate & Contract deems appropriate.

Seconded by Councilor _____.
By Councilor _____

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8976

Seconded by Councilor _____

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ORDINANCE NO. 8976

AYES & NAYS: Trifeletti _____ Mortise _____ Rogers _____ Smith _____ Anderson _____
Nash _____ DiMarco _____

ADOPTED:

DEFEATED: